

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Joseph Iskra on 6/24/2008.

#### **The application has been amended as follows:**

In claim 24, line 6, "sector's" has been changed to --sectors'--.

In claim 24, line 10, "sector's" has been changed to --sectors'--.

In claim 35, line 6, "P<sub>M</sub>" has been changed to --(P<sub>M</sub>)--.

In claim 36, line 2, "P<sub>M</sub>" has been changed to --(P<sub>M</sub>)--.

In claim 37, line 5, "P<sub>M</sub>" has been changed to --(P<sub>M</sub>)--.

In claim 40, line 3, "(E<sub>1</sub>, E<sub>2</sub> or E<sub>3</sub>)" has been deleted.

The following is an examiner's statement of reasons for allowance: the prior art of record does not disclose a respiration device with an electromotor having a stator having at least 3 sectors in which each sector's polarity configuration constitutes one step of the rotor's rotation and a means to sense a back electromotor force generated by the electromotor for changing the sectors' polarity configuration when the back electromotor force reaches a zero value.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KRISTEN C. MATTER whose telephone number is (571)272-5270. The examiner can normally be reached on Monday - Friday 9-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Justine Yu can be reached on (571) 272-4835. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kristen C. Matter/  
Examiner, Art Unit 3771

/Justine R Yu/  
Supervisory Patent Examiner, Art Unit 3771